

**REMARKS**

Claims 1-25 are currently pending in the subject application, and are presently under consideration. Claims 1-25 are rejected. Claims 1-5, 8-10, 13-15, 18-19 and 22-23 have been amended. Favorable reconsideration of the application is requested in view of the amendments and comments herein.

**I. Claim Objections**

Claims 4, 9 and 14 are objected to because of informalities. These informalities have been corrected. Accordingly, withdrawal of this rejection is respectfully requested.

**II. Rejection of Claims 18-21 Under 35 U.S.C. §101**

Claims 18-21 stand rejected under 35 U.S.C. §101 because the Office Action contends that the claimed invention is directed to non-statutory subject matter. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 18 has been amended to provide for a useful, concrete tangible result and should now overcome the rejection under 35 U.S.C. §101. Claim 19-21 depend either directly or indirectly from amended claim 18 and recite patentable subject matter for at least the same reasons as amended claim 18, and for the specific elements recited therein.

For the reasons described above, claims 18-21 should be statutory subject matter. Accordingly, withdrawal of this rejection is respectfully requested.

**III. Rejection of Claims 1-5, 7-10, 12-15 and 17 Under 35 U.S.C. §102(b)**

Claims 1-5, 7-10, 12-15 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 5,808,662 to Kinney, et al. ("Kinney"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 1 has been amended to recite issuing a command at a second location regarding a control operation of a video file, transmitting a command signal from a second location to a first location regarding a control operation of a video file, receiving, at the first location, the

command signal and broadcasting the command signal from the first location to the second location. Amended claim 1 also recites performing, at the first location and the second location, the control operation of the video file upon receiving the command signal at the first location.

Kinney does not disclose transmitting a command signal from a second location to a first location in response to an issued command, receiving at the first location the command signal, and broadcasting the command signal from the first location to the second location, as recited in amended claim 1. Kinney discloses that a user event is a local event that is generated by a participant, while a network event is received by a playback system of the participant (See Kinney, Col. 7, Lines 11-14). Moreover, in Kinney, when a user event occurs, the user event is executed on the participant's playback system, and a corresponding network event is sent to the other playback systems (See Kinney, FIGs. 2A-2C). In contrast, in amended claim 1, a command signal is transmitted to a first location, from a second location, and broadcast from the first location to the second location. Thus, Kinney does not disclose each and every element of amended claim 1. Accordingly, Kinney does not anticipate amended claim 1, and therefore, amended claim 1 should be patentable over the cited art.

Claims 2-5 and 7 depend either directly or indirectly from amended claim 1, and are not anticipated by the cited art for at least the same reasons as amended claim 1, and for the specific elements recited therein. Accordingly, claims 2-5 and 7 should be patentable over the cited art.

Additionally, claim 2 has been amended to recite communicating a selecting of at least one frame of a video file to a third location, viewing the at least one frame of the video file at the third location, wherein a broadcasting command signal from a first location to the second location further comprises broadcasting the command signal to the third location, and performing, at the first location, the second location and the third location, the control operation in response to receipt of the command signal. In contrast to amended claim 2, as mentioned above with respect to amended claim 1, Kinney discloses that any playback system can provide the other systems with network events. Therefore, Kinney does not disclose each and every element of claim 2.

Claim 3 has been amended to recite that a command signal comprises a one byte command identification. Kinney discloses that an event is a data structure that includes an event identification, in the form of a unique tag (See Kinney, Col. 5, Lines 36-42). However Kinney does not disclose that the unique tag is one byte. Thus, Kinney does not disclose the command signal recited in amended claim 3. Therefore, Kinney does not disclose each and every element of amended claim 3.

Claim 5 has been amended to depend from amended claim 3 and recites that one bit of a one byte command signal comprises one of a stop, play forward, reverse and pause of a video file and a pointer command. Kinney does not disclose that one bit of a unique tag indicates any particular event. Thus, Kinney does not disclose the command identification recited in amended claim 5. Accordingly, Kinney does not disclose each and every element of amended claim 5.

Claim 8 has been amended to recite selecting a video to view at a first system, communicating the selecting of the video to a second system and a third system, providing a video on a first screen of the first system, a second screen of the second system and a third screen of the third system, and issuing a command at the second system regarding a control operation of the video file. Amended claim 8 also recites transmitting a command signal from the second system to the first system in response to the issued command, and broadcasting the command signal from the first system to the second system and the third system. Kinney discloses that a user event is a local event that is generated by a participant, while a network event is received by a playback system of the participant (See Kinney, Col. 7, Lines 11-14). Moreover, in Kinney, when a user event occurs, the user event is executed on the participant's playback system, and a corresponding network event is sent to the other playback systems (See Kinney, FIGs. 2A-2C). Kinney does not disclose transmitting a command signal from a second system to a first system and broadcasting the command signal from the first system to the second system and the third system, as recited in amended claim 8. Thus, Kinney does not disclose each and every element of amended claim 8, and therefore Kinney does not anticipate amended claim 8. Accordingly, amended claim 8 is patentable over the cited art.

Claims 9-10 and 12 depend either directly or indirectly from amended claim 8 and are patentable over the cited art for at least the same reasons as amended claim 8, and for the specific elements recited therein. Accordingly, claim 9-10 and 12 should be patentable over the cited art.

Amended claim 10 recites a command signal comprises a one byte command identification, and one bit of the one byte command identification represents one of a stop, play forward, reverse and pause of a video and a pointer command. As stated above with respect to amended claims 3 and 5, Kinney does not disclose a one byte command identification, as recited in amended claim 10. Therefore, Kinney does not disclose the command signal recited in amended claim 10. Accordingly, Kinney does not disclose each and every element of amended claim 10.

Claim 13 has been amended to recite selecting a video to view at a first system, communicating the selecting of the video to a second system, and substantially simultaneously performing at least one operation on the first video screen and the second video screen by transmitting the at least one command signal across a communication network, from the second system to the first system, and broadcasting the at least one command signal to the second system from the first system across the communication network. As stated above with respect to amended claim 1, Kinney discloses that when a user event occurs, the user event is executed on the participant's playback system, and a corresponding network event is sent to the other playback systems (See Kinney, FIGs. 2A-2C). Kinney does not disclose a command signal is transmitted across a communication network from a second system to a first system, and broadcast to the second system from the first system across a communication network, as recited in amended claim 13. Accordingly, Kinney does not disclose each and every element of amended claim 13. Thus, Kinney does not anticipate claim 13, and therefore, claim 13 should be patentable over the cited art.

Claims 14-15 and 17 depend from amended claim 13 and are not anticipated by the cited art for at least the same reasons as amended claim 13, and for the specific elements recited therein. Accordingly, claim 14-15 and 17 should be patentable over the cited art.

Additionally, amended claim 14 recites displaying a video on a third video screen associated with a third system, wherein broadcasting at least one command signal to a second system from a first system across a communication network further comprises substantially simultaneously broadcasting the at least one command signal to the second system and the third system from the first system across the communication network and performing at least one operation on the third video screen. Because amended claim 14 depends from amended claim 13, the command signal recited in amended claim 14 is sent from the second system to the first system and broadcast to the second system and the third system from the first system. In contrast, as mentioned above with respect to claim 2, Kinney discloses that any playback system can provide the other systems with network events. Accordingly, Kinney does not disclose the command signal recited in amended claim 14. Therefore, Kinney does not disclose each and every element of amended claim 14.

Amended claim 15 recites a command signal comprises a one byte command identification, and one bit of the one byte command identification represents one of a stop, play forward, reverse and pause of a video and a pointer command. As stated above with respect to amended claims 3, 5 and 10, Kinney does not disclose a one byte command identification, as recited in amended claim 15. Therefore, Kinney does not disclose the command signal recited in amended claim 15. Accordingly, Kinney does not disclose each and every element of amended claim 15.

For the reasons described above, claims 1-5, 7-10, 12-15 and 17 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 18, 19, 21-23 and 25 Under 35 U.S.C. §103(a)**

Claims 18, 19, 21-23 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kinney. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 18 has been amended to recite launching a synchronous player program at a first computer system, selecting a video file for viewing at said first computer system, displaying the

video file at said first computer system, communicating the selecting of said a video file to a second computer system causing said second computer system to launch a synchronous player program and display the video file at said second computer system, and broadcasting a first command from a first computer system to a second computer system regarding a first control operation of a video file, wherein the first command signal causes the second computer to perform the first control operation. Amended claim 18 also recites receiving a second command signal from the second computer regarding a second control operation on the video file, and broadcasting the second command signal from the first computer system to the second computer system, wherein the second command signal causes the second computer system to perform the second control operation in response to receipt of the second command signal and performing the second control operation on the first computer system in response to receipt of said second command signal.

Kinney does not teach or suggest receiving a second command signal from a second computer system by a first (or originating) computer system regarding a second control operation of a video file and broadcasting the second command signal from the first computer to the second computer, as recited in amended claim 18. Kinney discloses that a user event is a local event that is generated by a participant, while a network event is received by a playback system of the participant (See Kinney, Col. 7, Lines 11-14). Moreover, in Kinney, when a user event occurs, the user event is executed on the participant's playback system, and a corresponding network event is sent to the other playback systems (See Kinney, FIGs. 2A-2C). In contrast, in amended claim 18, a command signal is received at a first computer, from a second computer, and the command signal is broadcasted from first computer to the second computer. Thus, Kinney does not teach or suggest each and every element of amended claim 18. Accordingly, Kinney does not make amended claim 18 obvious, and therefore, amended claim 18 should be patentable over the cited art.

Claims 19 and 21 depend from amended claim 18 and are not obvious for at least the same reasons as amended claim 18 and for the specific elements recited therein.

Amended claim 19 recites that a command signal comprises a one byte command identification, wherein one bit of the command identification comprises one of a stop, play, forward, reverse and pause of a video file and a pointer command. For the reasons stated above with respect to amended claim 3, 5 and 10, Kinney does not teach or suggest the command signal recited in amended claim 19. Accordingly, Kinney does not teach or suggest each and every element of claim 19.

Claim 22 has been amended to recite receiving a second command signal from another computer regarding a second control operation of a video file, broadcasting the second command signal from the second computer system to the another computer, wherein the second command signal causes the another computer system to perform the second control operation upon receiving the second command signal and performing the second control operation on the computer system in response to receipt of the second command signal from the another computer system. Kinney does not teach or suggest receiving a second command signal from another computer regarding a second control operation of a video file and broadcasting the command signal from the second computer system to the another computer, as recited in amended claim 22. Accordingly, Kinney does not teach or suggest each and every element of amended claim 22. Therefore, Kinney does not make amended claim 22 obvious.

Claims 23 and 25 depend from amended claim 22 and are not obvious for at least the same reasons as amended claim 22 and for the specific elements recited therein. Accordingly, claims 23 and 25 should be patentable over the cited art.

Amended claim 23 is similar to amended claim 19. Accordingly, amended claim 23 is not obvious for substantially the same reasons as amended claim 19, and for the specific elements recited therein. That is, Kinney does not teach or suggest the command signal recited in amended claim 23. Thus, Kinney does not teach or suggest each and every element of claim 23.

For the reasons described above, claims 18, 19, 21-23 and 25 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claims 6, 11, 16, 20 and 24 Under 35 U.S.C. §103(a)**

Claims 6, 11, 16, 20 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kinney in view of U.S. Patent No. 6,230,171 to Pacifici, et al. ("Pacifici"). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 6, 11, 16, 20 and 24 depends from amended claims 1, 8, 13, 18 and 22, respectively. Pacifici does not make up for the aforementioned deficiencies of Kinney with respect to claims 1, 8, 13, 18 and 22. Therefore, Kinney and Pacifici, taken individually or in combination, fail to teach or suggest the elements recited in claims 1, 8, 13, 18 and 22, from which claims 6, 11, 16, 20 and 24 depends. Accordingly, Kinney taken in view of Pacifici does not make claims 6, 11, 16, 20 and 24 obvious.

Therefore, claims 6, 11, 16, 20 and 24 should be patentable over the cited art. Accordingly, withdrawal of this rejection is respectfully requested.



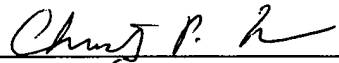
**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date 4-11-06

  
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